

PHILLIP A. TALBERT
United States Attorney
ROBERT C. ABENDROTH
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

FRANCISCO JAVIER GONZALES, JR.
Defendant.

CASE NO. 2:22-CR-00140 WBS

STIPULATION AND REQUEST TO RESET DATE
FOR TRIAL CONFIRMATION HEARING

DATE: May 13, 2024
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

STIPULATION

1. By previous order, this matter was set for a Trial Confirmation Hearing on May 13, 2024.
2. By this stipulation, the defendant and the government request to reset the Trial Confirmation Hearing for May 28, 2024 at 9:00 a.m.
3. The parties agree, stipulate, and request that the Court reset the Trial Confirmation Hearing for the following reasons:
 - a) During a status conference in this matter, this Court set trial the trial in this matter to begin on July 23, 2024; additionally, the Court scheduled a Trial Confirmation Hearing for May 13, 2024. Also, at that time, pursuant to the a stipulation between the parties, the Court issued an order excluding time for the purposes of the Speedy Trial Act up to the July 23, 2024 trial date. Now, the parties request to retain the July 23, 2024 trial date and to move the Trial Confirmation Hearing date to May 28, 2024.

1 b) Counsel for the defendant is scheduled for a state court jury trial on May 13,
2 2024. Additionally, defense counsel has requested additional time in which to confer with the
3 defendant concerning a potential resolution of the case.

4 c) The government will not be prejudiced in any way by the requested continuance;
5 and therefore, the government joins in the request. Because the Court previously issued an order
6 excluding time until the trial date of July 23,2024, no request for an exclusion of time is required
7 to reset the Trial Confirmation Hearing pursuant to this stipulation and request.

8 **[CONTINUED ON NEXT PAGE]**

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: May 7, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ ROBERT C. ABENDROTH
ROBERT C. ABENDROTH
Assistant United States Attorney

Dated: May 7, 2024


/s/ MARK JOSEPH REICHEL
MARK JOSEPH REICHEL
Counsel for Defendant
FRANCISCO JAVIER GONZALES, Jr.

ORDER

Pursuant to the request of the parties and for the reasons stated herein, the Trial Confirmation Hearing in this matter is reset for May 28, 2024, at 9:00 AM in Courtroom 5. Counsel are advised that due to the scheduling of the annual Ninth Circuit Judicial Conference, if the trial is confirmed the actual beginning of trial may have to be postponed three days to July 26, 2024.

IT IS SO FOUND AND ORDERED.

Dated: May 10, 2024


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE